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Reply Notice of Abandonment Dated 18 April 2006

Serial No.: 10/501,271

Docket No.: 14.0202-PCT-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
J. Robertsson et al.

Examiner:

Serial No.: 10/501,271

Group Art Unit:

PCT Filed: 9 January 2003

Att'y Docket: 14.0202-PCT-US

For: Method of and Apparatus for Processing
Seismic Data

Customer No. 28116

PETITION TO WITHDRAW A HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

6 JUN 2006

Legal Staff
International Division

Sir,

This is in response to a Notice of Abandonment of April 18, 2006.

Remarks/Arguments begin on page 2 of this paper.

Declaration by Rebecca Tanis in support of the petition starts on page 5

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REMARKS

Applicants received a Notice of Abandonment under Rule 53 (b) for failure to respond to a Notice of DO/EO Defective Response mailed on 16 August, 2005 ("08/16/2005 Notice"). Applicants respectfully submit, however, that the 08/16/2005 Notice was never received by the Applicants on or after August 16, 2005. Accordingly, Applicants respectfully request the withdrawal of the holding of abandonment for the reason of non-received mail from the Office.

The present application is a national phase application based on a PCT application filed on 9 January, 2003. Applicants received a Notice of Missing requirement mailed on 2 June, 2005, for missing the inventors' declaration. Applicants filed a response on 28 July, 2005 via fax with the required inventors' declaration. Also on 28 July, 2005, Applicants filed an assignment to assign the application to Applicants' employer. Inadvertently, the declaration was defective, i.e. one of the inventors did not sign the declaration. According to the Notice of Abandonment, the 08/16/2005 Notice was mailed on 16 August, 2005 to Applicants. But such notice was never received by the Applicants. However, Applicants did receive the recordation of the assignment, which was mailed on 29 November, 2005.

Applicants have searched and reviewed the file jacket and the docket record for the above referenced application, and did not find any record of receiving the 08/16/2005 Notice. A copy of the docket record for the above referenced application is enclosed herewith. Based on the circumstance and the supporting declaration by Applicants' corporate IP Administrator, Ms. Rebecca Tanis, it is concluded that in fact, the 08/16/2005 Notice was never received by the Applicants. Accordingly, pursuant to MPEP 711.03(c) I. PETITION TO WITHDRAW HOLDING OF ABANDONMENT, A. Petition To Withdraw Holding of Abandonment Based on Failure To Receive Office Action, Applicants respectfully request that the holding of

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abandonment be withdrawn and the 08/16/2005 Notice be re-mailed. (See MPEP 8 Ed., Rev 3, page 700-168).

Applicants do not feel that a fee is necessary at this time, but if the sum of \$130.00 is due under 37 C.F.R. § 1.17 (h), the Commissioner is hereby authorized to charge this fee, and any other fee necessary to make this submission timely and acceptable to the Deposit Account No. 50-1720/14.0202-PCT-US..

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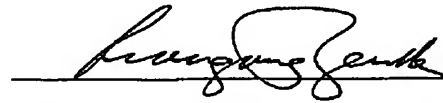
Docket No.: 14.0202-PCT-US

CONCLUSIONS

Applicants respectfully request the holding of abandonment be withdrawn. Applicants further submit that the current application is ready for examination and allowance.

5/1/2006

Date



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WesternGeco

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Reply is being transmitted to the Commissioner of Patents and Trademarks by facsimile transmission to 571-273-8300 on April 1, 2006.



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PCT Filed: 9 January 2003

For: Method of and Apparatus for Processing
Seismic Data

Examiner:

Group Art Unit:

Att'y Docket: 14.0202-PCT-US

Customer No. 0

DECLARATION IN SUPPORT OF A PETITION
TO WITHDRAW A HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181

I, Rebecca Tanis, the IP administrator at WesternGeco LLC, do hereby declare the following:

1. I am the IP administrator at WesternGeco LLC, located at 10001 Richmond Ave., Houston, TX 77042.
2. I am a citizen of the United States of America.
3. I am in charge of receiving and docketing all correspondences from USPTO to WesternGeco.
4. As of today, I have not received a Notice of DO/EO Defective Response from the USPTO mailed on 16 August, 2005 for the above referenced patent application ("08/16/2005 Notice").
5. In addition, I have searched and reviewed the file jacket and the docket record for the above referenced patent application and did not find any record of the 08/16/2005 Notice.

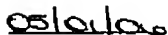
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6. A copy of the docket record for the above referenced application is enclosed herewith to indicate where the nonreceived 08/16/2005 Notice would have been entered had it been received and docketed. The docket record shows that a Notice of Missing Parts mailed on 2 June 2005 was received on 8 June 2005; a response to the Notice of Missing Parts was filed on 27 July, 2005; an Assignment Recordation was filed on 27 July, 2005; a Notice of Recordation of Assignment mailed on 29 November 2005 was received on 12 December, 2005. If the 08/16/2005 Notice were received, an entry for the 08/16/2005 Notice would have been entered between the entry of "Missing Parts Response" and the entry of "Record."
7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the understanding that willful false statement and the like so made are punishable by fine, imprisonment, or both under Section 1001 of Title 18 of the United State Code, and that such willful false statements may jeopardize the validity of the above referenced application or any patent issued thereon.



Date



Rebecca Tanis

IP Administrator
WesternGeco
Houston Technology Center
10001 Richmond Ave,
Houston, TX 77042

PAGE 7/12 * RCVD AT 5/1/2006 2:20:04 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/14 * DNIS:2738300 * CSID:713 689 1977 * DURATION (mm-ss):11-38

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PAGE 8/12 * RCVD AT 5/1/2006 2:20:04 PM [Eastern Daylight Time] * SVR:USPTO-EFAXRF-1/14 * DNIS:2738300 * CSID:713 689 1977 * DURATION (mm-ss):11-38

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|-------------------------------|------------------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/501,271 | Johan Olof Anders Robertsson | WGEC/0037 |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/GB03/00052 | | |
| I.A. FILING DATE | PRIORITY DATE | |
| 01/09/2003 | 01/11/2002 | |

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HOUSTON, TX 77042

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APR 24 2006

IP DEPT
Date Mailed: 04/18/2006

CONFIRMATION NO. 5653

371
ABANDONMENT/TERMINATION
LETTER

OC000000018564764

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 06/02/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

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